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8 June 1954

MEMORANDUM FOR: General Counsel

VIA: DD/I Legislative Liaison Officer (Mr. Wm. P. Bundy) *WPA*

SUBJECT: H.R. 9317 (A Bill to prohibit the transmission through the mails at less than cost of publications, books, other printed matter, and films containing material contrary to the best interests of the United States.)

1. The following comments on this Bill are submitted in response to your request:

a. Although the emphasis in this Bill is on postage rates for publications, and not on denying the use of the mails for transmission of "subversive" publications, the effect might be to deny because of the increased costs.

b. Although the Bill may be aimed primarily at control of the dissemination of the publications of domestic organizations on the subversive list, it would no doubt be applied to mailings by  domestic importers of Soviet Bloc publications. 25X1

c. Since foreign publishers of newspapers and periodicals are granted the same second class mail privileges under the law as are domestic publishers, it would tend to restrict the mailing of foreign publications, particularly those of a political nature, to addressees in the United States.

d. OCD's prime interest in this legislation is to prevent any further obstacles being placed in the path of the intelligence community's efforts to obtain the foreign literature required for intelligence research.

e. This whole problem of prohibiting entry into the U.S. and distribution therein of foreign publications containing material advocating political or other doctrines contrary to the best interests of the United States has been the subject of study for several years by ICIS. The end result of such study was a recommendation that the Justice Department draw up proposed legislation which would control importation and dissemination of propaganda, but, at the same time, would not deny access to such publications for legitimate research purposes by government agencies, libraries, educational institutions, and bona fide scholars.

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25X1 f. Recently CIA took a position at the National Security Council against any legislation which would tend to restrict the flow of foreign publications of intelligence interest, recognizing that any restrictive measures introduced by the U.S. Government would invite retaliation by the Soviet Union. This position was developed in consultation with personnel of OCD, OSI, and [ ] advising the DCI in this matter. It is understood that the NSC supported CIA's position.

g. In ICIS discussions the Post Office Department has consistently opposed the views of the intelligence community and has desired very restrictive legislation. In the interests of intelligence I feel that we should oppose passage of this Bill.

25X1 h. [ ] has in his possession the documentation covering the history of this problem over the past several years, including letters and ICIS reports. It is believed that he is in the best position to advise the General Counsel on CIA policy concerning this Bill.

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[ ]  
Acting Assistant Director  
Collection and Dissemination

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